



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William W. Cimino Examiner: Thissell, J.
Serial No.: 09/829,678 Group Art Unit: 3763
Filed: April 9, 2001 Attorney Docket No.: 40206.0001USC1
Title: PROTECTIVE SHEATH AND METHOD FOR ULTRASONIC PROBES

CERTIFICATE UNDER 37 CFR 1.10:

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By:

Paula Egolf
Paula Egolf

Commissioner for Patents
P.O. Box 1450
MAIL STOP: RCE
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Request for Continued Examination Under 37 C.F.R. § 1.114 and filing fee of \$385.00
- ☒ Supplemental Interview Summary.
- ☒ Response to Office Action dated June 17, 2003
- ☒ Petition for Extension of Time for three months and fee of \$475.00
- ☒ Return postcard
- ☒ Small entity status has been previously established

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725 with reference to Attorney Docket No. 40206.0001USC1. A duplicate of this sheet is enclosed.

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By:

Thomas H. Young
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: William W. Cimino)
Serial No. 09/829,678) Group Art Unit: 3763
Filed: April 19, 2001) Examiner: Jeremy Thissell
For: Protective Sheath and)
Method for Ultrasonic)
Probes)
Attny Dckt. No. 40206.0001USC1

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Signature:

Paula Egolf

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SUPPLEMENTAL INTERVIEW SUMMARY

Dear Sir:

This is a supplemental summary of the personal interview held on August 4, 2003 (the "Interview") among Examiners Jeremy T. Thissell and Brian Casler and applicant's counsel. The following information supplements the Examiner's Interview Summary provided at the conclusion of the Interview.

At the commencement of the Interview there was a discussion regarding the MacKool reference, i.e. U.S. Patent No. 5,354,265. Applicant's representative noted

differences between the claimed invention (i.e., Claims 12-17) and this reference as identified in previous communications with the Patent Office.

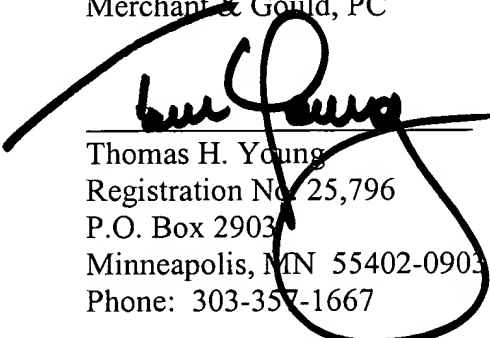
There was also a brief discussion regarding the Examiners' interpretation of the claims in light of the preamble. The Examiners reiterated that the preamble had been considered in examination of the claims. Examiner Thissell, however, clarified that the pending rejection was based on the view that it was improper to define the claimed "protective sheath" by limitations relative to the unclaimed "elongate ultrasonic probe." Applicants' counsel expressed his belief that this is an appropriate way of claiming an invention supported by case law authority. Counsel agreed to provide that authority in the response to the extant rejection.

There was also a brief discussion regarding the possibility of presenting additional claims directly focused to the embodiment shown in Figure 1.

Respectfully submitted this 17th day of December 2003.



Merchant & Gould, PC


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